

REMARKS

Applicants appreciate the Examiner's allowance of Claims 1-6 and 19-24.¹

Applicants will address each of the Examiner's remaining objections and rejections in the order in which they appear in the Office Action.

Information Disclosure Statement

In the Office Action, the Examiner states that the IDS filed on March 12, 2004 fails to comply with 37 CFR 1.98(a)(2) which requires a legible copy of each cited foreign patent document, etc. Upon review of the marked-up copies of the 1449 forms (from the IDS of March 12, 2004) attached to the Office Action, it appears that the only item not considered by the Examiner was the International Search Report from PCT/JP03/11983 mailed December 24, 2003.

While the return postcard for this IDS shows that the IDS and references were filed and received by the US Patent Office (see attached copy), in order to advance the prosecution of this application and have the Examiner consider this reference, another copy of the search report is being submitted. Accordingly, it is respectfully requested that this reference now be considered, and the enclosed 1449 initialed to show the Examiner's consideration of this reference.

No fee is believed necessary for this resubmission. If such a fee is due, please charge our deposit account 50/1039.

¹ As explained infra, Applicants are amending the claims to remove the means plus function language. These amendments, however, should not affect the allowability of these claims.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 7-10 and 25-28 under 35 USC §103(a) as being unpatentable over Tsukabi et al. (US 6,696,096) in view of Van Slyke et al. (US publication no. 2003/0015140 A1), Utsugi et al. (US 6,294,892) and Terasaka et al. (US 4,897,290). This rejection is respectfully traversed.

Initially, Applicants note that the Examiner states that the terms “alignment means”, means for moving said evaporation source holder”, and “means for heating” have been interpreted under 35 USC §112, sixth paragraph as means plus functions terms. Applicants have amended the claims so that “alignment means” has been changed to “an aligner”, “means for moving said evaporation source holder” has been changed to “a moving mechanism for moving said evaporation source holder”, “means for heating” has been changed to “a heater”, and “substrate holding means” has been changed to “a substrate holder.” Accordingly, it is respectfully submitting that these claims no longer have means plus function terms and should not be interpreted as such under 35 USC §112, sixth paragraph.

Further, in the Office Action, the Examiner admits that Tsubaki, Van Slyke and Utsugi fail to teach a side of the substrate is set obliquely to a direction in which said evaporation source holder is moved relative to a substrate. The Examiner, however, cites Terasaka and contends that “[i]t would have been obvious to one of ordinary skill in the art at the time of Applicant’s invention was made to have provided a side of a substrate set at an oblique angle with an evaporation source in Tsubaki et al., Van Slyke et al. and Utsugi et al. in order to form a layer having uniform alignment angles at high precision in the direction in which the uniform evaporation depositing on the substrate surface will be required as taught by Terasaka et al.”

While Applicants disagree and traverse this rejection, in order to advance the prosecution

of this application, Applicants have amended Claims 7, 9, 25 and 27 to recite that “each container is set obliquely to a surface of the substrate.” This is shown, for example, at page 5, Ins. 1-3 of the present application. Neither Tsubaki, Van Slyke nor Utsugi disclose or suggest this feature.

Terasaka discloses setting a longitudinal direction of an evaporating source at an oblique angle to a side of a substrate in an x-direction or a y-direction of a substrate. Terasaka, however, does not disclose or suggest that each container is set obliquely to a surface of the substrate.

Accordingly, the cited references do not disclose or suggest the claimed invention, and the claims are patentable thereover. Therefore, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicants are also adding new Claims 29-33 herewith. It is respectfully requested that these claims be entered and allowed.

Claims 29-31 and 33 are dependent claims, and these claims are allowable over the cited references for at least the reasons discussed above for the independent claims. Each of these claims recites that said aligner has at least a CCD camera. This is shown, for example, in the present application at page 22, Ins. 17-18.

Claim 32 is an independent claim which recites the feature that each of the containers is set obliquely to a surface of the substrate. As explained above, this feature is shown, for example, in the present application at page 5, Ins. 1-3. The claimed invention provides a vapor deposition system that makes a whole surface of a large area substrate uniform with even

thickness. Hence, for at least the reasons explained above, this claim is also patentable over the cited references.

In light of the cancellation of the non-elected claims, Applicants do not believe that any fee is due for these new claims. If such a fee should be due, please charge our deposit account 50/1039.

Information Disclosure Statement

Applicants are filing an information disclosure statement (IDS) herewith. It is respectfully requested that the Examiner enter and consider this IDS prior to the issuance of any further action on this application. If any further fee should be due for this IDS, please charge our deposit account 50/1039.

Conclusion

Accordingly, it is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,



Mark J. Murphy

Registration No. 34,225

COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street - Ste. 2850
Chicago, IL 60606
(312) 236-8500
Customer no. 000026568